Application No.: 10/568,111 Docket No.: 429022001300

## REMARKS

The claims have been amended to remove the necessity for a restriction requirement between Groups I and II. Claim 1 has been amended (as it was in the International Phase) to require at least two sialic acid units linked 2.8 and/or 2.9 in the polysaccharide. This distinguishes the composition of claim 1 from the cited patent US 5,329,028. Therefore, the compounds of Group I and of Group II have a common technical feature in that all of them require at least two sialic acid residues coupled to a functional moiety pendant to a terminal unit. Thus, unity-of-invention is present.

Should the Office determine otherwise, applicants elect to prosecute the invention of Group I with traverse.

The claims of Group III, directed to a process for making the compound of Group I or of using it, are believed eligible for rejoinder in the event that the elected claims are allowed.

Claim 11 has been made dependent on claim 1 in view of this. However, in light of the common technical feature now present in both claims 1 and 11, it is believed that unity-of-invention is present and that the claims of Group III should not be withdrawn from prosecution in the current application.

New claims 23-29 represent dependent claims which reflect the preferred embodiments of claims 12, 14 and 15, which were not in a form preferred by U.S. practice, and further reflect the limitations of current claim 10 as applied, however, to the process claims.

Claim 7 has been amended to correct an obvious error in the first definition of  $R^1$  and  $R^2$ . No new matter has been added and entry of the amendment is respectfully requested.

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In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to <a href="Peposit">Deposit</a> Account No. 03-1952 referencing docket No. 429022001300.

Respectfully submitted,

Dated: August 25, 2008 By: / Kate H. Murashige /

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